

**CALENDAR ITEM  
C23**

A     1  
S     1

08/19/15  
W 8670.35  
M. Schroeder

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Anthony S. Barth and Robyn A. Barth

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land located in Donner Lake, adjacent to 14550 South Shore Drive, near the town of Truckee, Nevada County.

**AUTHORIZED USE:**

Extension, use and maintenance of an existing pier not previously authorized by the Commission and installation, use and maintenance of two jet-ski lifts.

**LEASE TERM:**

10 years, beginning August 19, 2015.

**CONSIDERATION:**

\$664 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in an amount no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. The existing pier was never authorized but has existed at this location for many years. The pier will be partially reconstructed and expanded to accommodate two jet-ski lifts. The proposed construction will remove a portion of the pier and replace it with a larger lakeward section along with a smaller addition to the east side of the pier. The new sections of the pier will be constructed of piles driven into the lakebed from a boat, welded steel beams and joists. The pier will utilize stainless steel hot-dipped galvanized hardware and fasteners throughout, along with a durable wood decking material. The in-water work will take place between October 1 and April 1 during low water level periods. The Applicant has submitted applications to other permitting agencies. The Applicant is now applying

CALENDAR ITEM NO. **C23** (CONT'D)

for a General Lease – Recreational Use. Staff recommends authorization of these facilities.

3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS REQUIRED:**

California Regional Water Quality Control Board, Lahontan Region  
U.S. Army Corps of Engineers  
California Department of Fish and Wildlife  
Town of Truckee

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

CALENDAR ITEM NO. **C23** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Anthony S. Barth and Robyn A. Barth beginning August 19, 2015, for a term of 10 years, for the extension, use and maintenance of an existing pier not previously authorized by the Commission and installation, use and maintenance of two jet-ski lifts, as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; annual rent in the amount of \$664, with an annual Consumer Price Index adjustment; and liability insurance in the amount of \$1,000,000 per occurrence.

**EXHIBIT A**

**W 8670.35**

**LAND DESCRIPTION**

A parcel of submerged land situated in the bed of Donner Lake, lying adjacent to Government Lot 5 of fractional Section 13, Township 17 North, Range 15 East, M.D.B.&M., as shown on Official Government Township Plat approved April 10, 1867, County of Nevada, State of California, more particularly described as follows:

All those lands underlying an existing pier and proposed pier extensions with two jet-ski lifts lying adjacent to that parcel described in Grant Deed recorded January 27, 2012 as Document Number 20120002130 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of the low water mark elevation of 5933.8 feet of said Donner Lake.

Accompanying plat is hereby made part of this description.

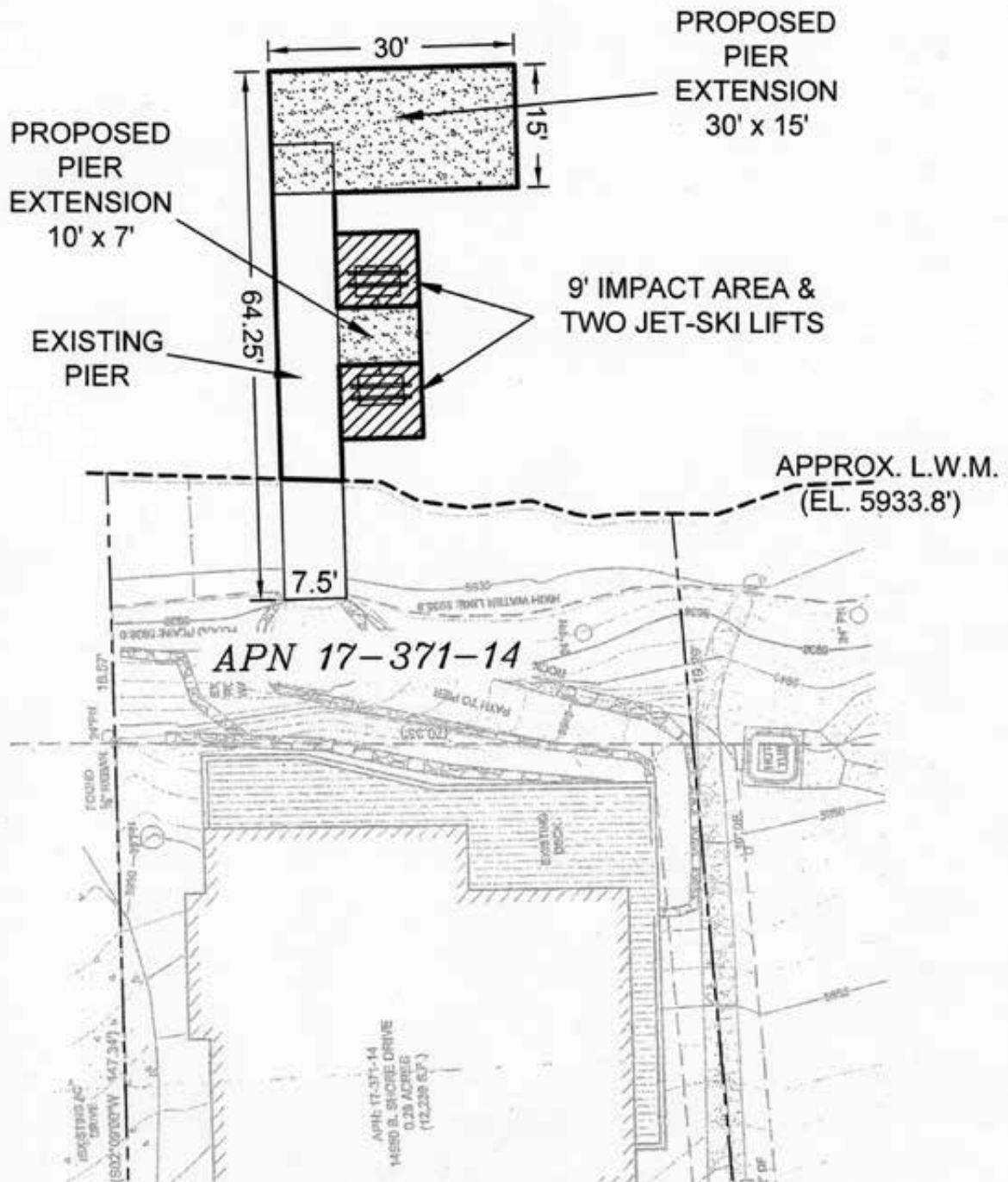
**END OF DESCRIPTION**

This description is based on an existing pier, together with any and all appurtenances pertaining thereto, at the date of this description. A new proposed pier extension and appurtenances are to be built per lease Applicant's provided design plans. This description is to be updated once final as-built plans are submitted.

Prepared 07/06/2015 by the California State Lands Commission Boundary Unit.



# DONNER LAKE



## EXHIBIT A

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TS 07/06/15

LAND DESCRIPTION PLAT  
W 8670.35, BARTH  
NEVADA COUNTY

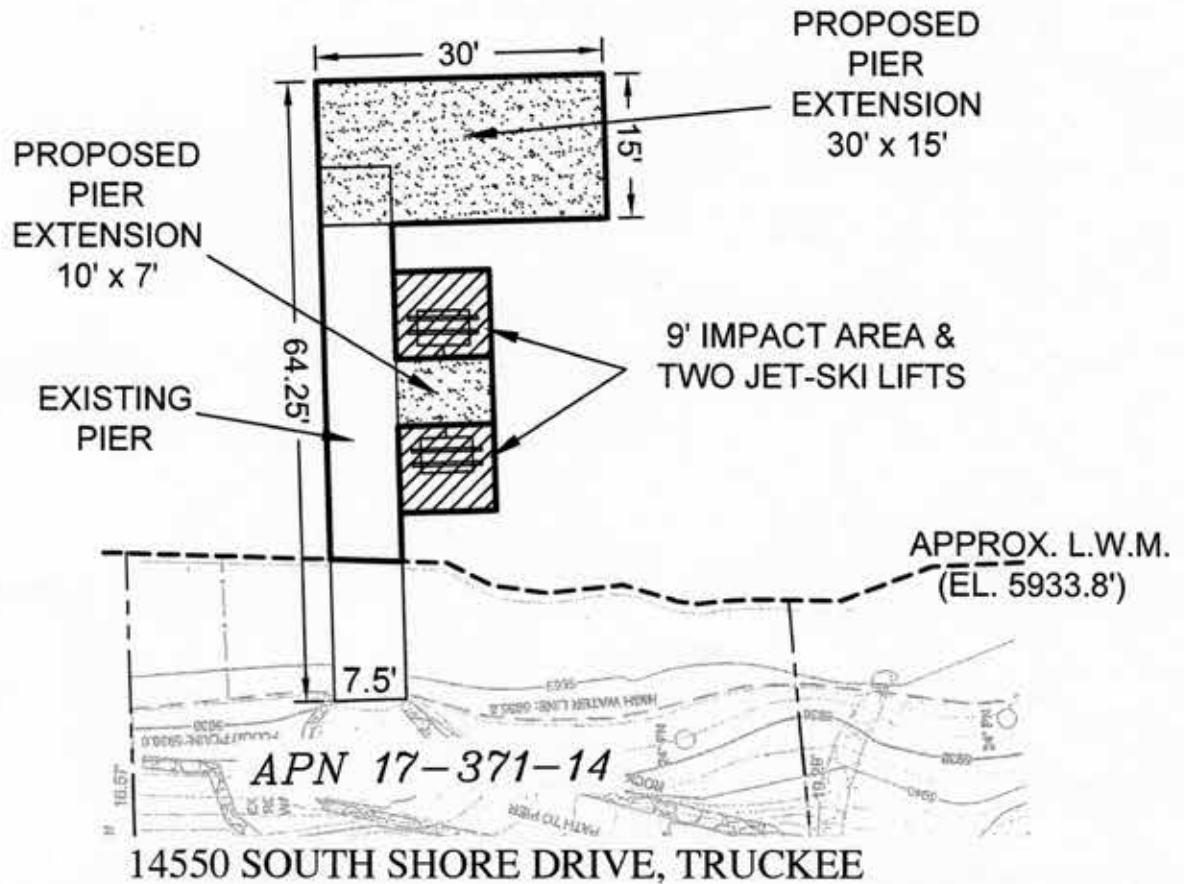
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

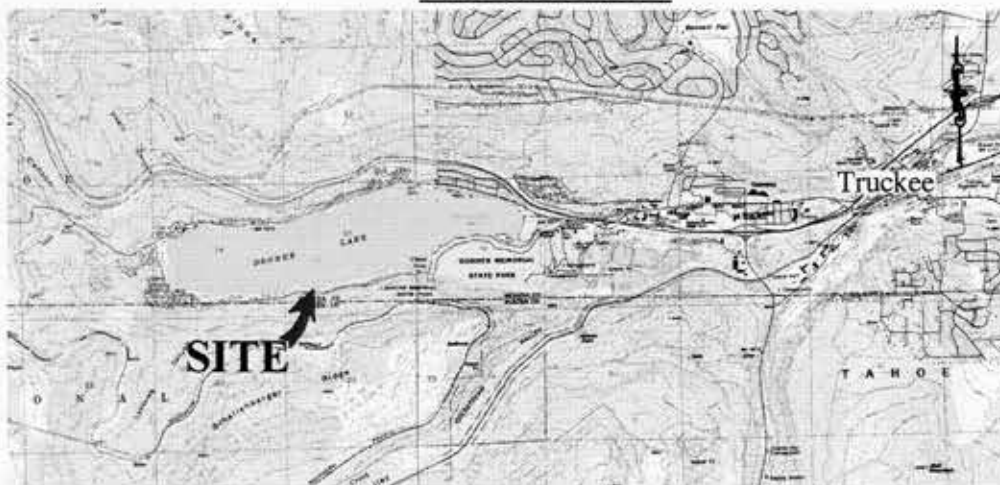
## SITE

*DONNER LAKE*



NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

## **Exhibit B**

W 8670.35

BARTH

APN 17-371-14

GENERAL LEASE -  
RECREATIONAL USE  
NEVADA COUNTY



TS 07/06/15